

In the Application of:
Michael W. Graham

For: **Control of Gene Expression**

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**Examiner: Daniel M. Sullivan**

12/21/2005      Michelle C. Punt  
Date                      Signature

## 1

The patents and/or publications submitted herewith are set forth on the attached Form PTO-1449.

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Respectfully submitted,



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| Sheet | 1 | of | 2 |
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**Complete if Known**

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|-------------------------------|--------------------|
| <i>Application Number</i>     | 10/821,710         |
| <i>Filing Date</i>            | April 8, 2004      |
| <i>First Named Inventor</i>   | Michael W. Graham  |
| <i>Art Unit</i>               | 1636               |
| <i>Examiner Name</i>          | Daniel M. Sullivan |
| <i>Attorney Docket Number</i> | BENI/0022.C2       |

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

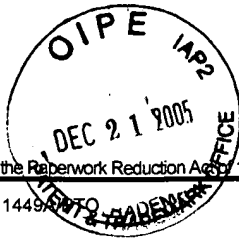
| Examiner Initials* | Cite No. <sup>1</sup> | Foreign Patent Document                                                             | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T <sup>6</sup> |
|--------------------|-----------------------|-------------------------------------------------------------------------------------|--------------------------------|-------------------------------------------------|---------------------------------------------------------------------------|----------------|
|                    |                       | Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known) |                                |                                                 |                                                                           |                |
|                    | B1                    | WO 98/18811 A1                                                                      | 05/07/1998                     | Dietz, et al.                                   |                                                                           |                |
|                    | B2                    | WO 99/53050 A1                                                                      | 10/21/1999                     | Waterhouse, et al.                              |                                                                           |                |
|                    | B3                    | WO 01/70949 A1                                                                      | 09/27/2001                     | Graham, et al.                                  |                                                                           |                |
|                    | B4                    | WO 03/27298 A1                                                                      | 04/03/2003                     | Holton, et al.                                  |                                                                           |                |
|                    |                       |                                                                                     |                                |                                                 |                                                                           |                |
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|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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PTO/SB/08a (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

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| Filing Date            | April 8, 2004      |
| First Named Inventor   | Michael W. Graham  |
| Art Unit               | 1636               |
| Examiner Name          | Daniel M. Sullivan |
| Attorney Docket Number | BENI/0022.C2       |

**NON PATENT LITERATURE DOCUMENTS**

| Examiner<br>Initials * | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|------------------------|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
|                        | C1                       | GITLIN, ET AL., "Poliovirus Escape from RNA Interference: Short Interfering RNA-Target Recognition and Implications for Therapeutic Approaches" Journal of Virology, Jan. (2005), p. 1027-1035.                                                                 |                |
|                        | C2                       | PARK, ET AL., "Specific Inhibition of HIV-1 Gene Expression by Double-Stranded RNA," Nucleic Acids Research Supplement No. 1 (2001), p. 219-220.                                                                                                                |                |
|                        | C3                       | YAMAMOTO, ET AL., "Double-Stranded <i>nef</i> RNA Interferences with Human Immunodeficiency Virus Type 1 Replication," Microbiol. Immunol., (2002) 46(11), p. 809-817.                                                                                          |                |
|                        | C4                       | PARK, ET AL., "Prevention of HIV-1 Infection in Human Peripheral Blood Mononuclear Cells by Specific RNA Interference," Nucleic Acids Research, (2002), Vol. 30, No. 22, p. 4830-4835.                                                                          |                |
|                        | C5                       | ROBBINS, ET AL. "Sensing the Danger in RNA" Nature Medicine, Vol. 1, No. 3 (March 2005), pp. 250-251.                                                                                                                                                           |                |
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